UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/238
28 April 1995

Forty-ninth session
Agenda item 113 (c)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/49/802/Add.1)]

49/238. Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations

The General Assembly,

Reaffirming its previous resolutions on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations,

Acknowledging with satisfaction the adoption of the Convention on the Safety of United Nations and Associated Personnel, 1/

1. Takes note of the report by the Secretary-General on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations; 2/

2. Deplores the increasing risk confronting United Nations personnel, including those engaged in peace-keeping and humanitarian operations, as well as locally recruited staff, and in this regard welcomes the Ad Hoc Inter-Agency Meeting on Security Matters convened in New York from 16 to 19 May 1994 by the United Nations Security Coordinator and urges the Administrative Committee on Coordination to strengthen the cooperative inter-agency approach, which will ensure the safety and security of United Nations personnel system-wide;

1/ Resolution 49/59, annex.

2/ A/C.5/49/6 and Corr.1 and Add.1.

3. Welcomes the note by the Secretary-General on stress management 3/ and the proposals made in paragraph 10 thereof, and requests the Secretary-General to submit funding proposals, if necessary, in the context of the proposed programme budget for the biennium 1996-1997.

99th plenary meeting
31 March 1995

3/ A/C.5/49/56.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/49/239
28 April 1995

Forty-ninth session
Agenda item 128

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fifth Committee (A/49/818/Add.1)]

49/239. Financing of the United Nations Mission in Haiti

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission in Haiti 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Recalling Security Council resolution 862 (1993) of 31 August 1993, in which the Council approved the dispatch of an advance team of no more than thirty persons to assess requirements and prepare for the possible dispatch of both the civilian police and the military assistance components of the proposed United Nations Mission in Haiti, and decided that the mandate of the advance team would expire within one month,

Recalling also Security Council resolution 867 (1993) of 23 September 1993, in which the Council authorized the establishment and immediate dispatch of the Mission for a period of six months subject to the proviso that it would be extended beyond seventy-five days only upon a review by the Council to be based on a report from the Secretary-General indicating whether or not substantive progress had been made towards the implementation of the Governors Island Agreement of 3 July 1993 between the President of the Republic of Haiti

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1/ A/49/318/Add.2 and Corr.1.

2/ A/49/869.

and the Commander-in-Chief of the Armed Forces of Haiti 3/ and the political accords contained in the New York Pact, 4/

Recalling further Security Council resolution 940 (1994) of 31 July 1994, in which the Council, acting under Chapter VII of the Charter of the United Nations, authorized Member States to form a multinational force under unified command and control and, in that framework, to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that would permit implementation of the Governors Island Agreement, and approved the establishment of an advance team of no more than sixty persons, including a group of observers, to establish the appropriate means of coordination with the Multinational Force, to carry out the monitoring of the operations of the Force and to assess requirements and to prepare for the deployment of the United Nations Mission in Haiti upon completion of the mission of the Multinational Force,

Recalling Security Council resolution 964 (1994) of 29 November 1994, in which the Council authorized the Secretary-General to strengthen progressively the advance team of the Mission up to five hundred persons in order to further facilitate the planning of the Mission, identification of conditions required for the transition from the Multinational Force and preparation for the actual transition, as well as to make good offices available for the achievement of the purposes approved by the Council in resolution 940 (1994),

Recalling also Security Council resolution 975 (1995) of 30 January 1995, in which the Council authorized the Secretary-General to deploy up to six thousand troops and nine hundred civilian police officers, and extended the mandate of the Mission for a period of six months, to 31 July 1995,

Recalling further its decision 48/477 of 23 December 1993, its resolution 48/246 of 5 April 1994 and its decision 49/468 of 23 December 1994 on the financing of the Mission,

Reaffirming that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

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3/ See Official Records of the Security Council, Forty-eighth Year, Supplement for July, August and September 1993, document S/26063.

4/ Ibid., document S/26297, annex.

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Expresses concern about the financial situation with regard to peace-keeping activities, particularly as regards the reimbursement of troop-contributors, because of overdue payments by Member States of their assessments, particularly Member States in arrears;

2. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Mission in Haiti promptly and in full, which will contribute to the operational effectiveness of the Mission;

3. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, 2/ subject to the provisions of the present resolution;

4. Takes note with concern of the relevant issues raised in the report of the Advisory Committee and requests the Secretariat:

(a) To facilitate the work of the General Assembly and the Advisory Committee by providing adequate reports in a timely fashion, in all the official languages of the Organization, as well as by supplying expeditiously requested supporting information or clarification;

(b) To adhere strictly to the procurement rules and regulations;

(c) To seek prior concurrence of the Advisory Committee before entering into commitments under the provisions of section IV of General Assembly resolution 49/233 A of 23 December 1994;

5. Reaffirms its resolution 49/233 A, in particular its section II thereof regarding contingent-owned equipment, and takes note of the fact that the procedures used for budgeting for the reimbursement of contingent-owned equipment in the Mission do not prejudge the decision to be taken by the General Assembly on this matter in accordance with its resolution 49/233 A;

6. Stresses the importance of the coordination between the United Nations Mission in Haiti, the International Civilian Mission in Haiti and all organizations and bodies involved in the implementation of the aid programme in Haiti, with a view to rationalizing the use of funds provided from voluntary and assessed contributions and avoiding duplication of activities and waste of resources;

7. Requests the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

8. Decides to appropriate to the Special Account referred to in its decision 48/477 an amount of 44,200 United States dollars gross (42,500 dollars net), authorized and apportioned for the period from 1 to 31 July 1994 under the provisions of its resolution 48/246;

9. Decides also to appropriate to the Special Account a total amount of 5,902,500 dollars gross (5,707,100 dollars net) for the operation of the Mission for the period from 1 August 1994 to 31 January 1995, inclusive of the amount of 221,000 dollars gross (212,500 dollars net) authorized and apportioned for the period from 1 August to 31 December 1994 under the provisions of its resolution 48/246, the amount of 1,347,000 dollars gross (1,217,900 dollars net) authorized by the Advisory Committee for the period

from 19 September to 18 December 1994 under the terms of Assembly resolution 48/229 of 23 December 1993 and the reduced amount of 4,334,500 dollars gross (4,276,700 dollars net) authorized by the Advisory Committee for the period from 1 December 1994 to 31 January 1995 under the terms of Assembly resolution 48/229;

10. Decides further to appropriate to the Special Account a total amount of 151,545,100 dollars gross (149,579,700 dollars net) for the operation of the Mission for the period from 1 February to 31 July 1995, inclusive of the amount of 3,720,700 dollars gross (3,409,600 dollars net) authorized by the Advisory Committee for the period from 1 to 28 February 1995 under the terms of Assembly resolution 48/229;

11. Decides, as an ad hoc arrangement, to apportion the amount of 151,545,100 dollars gross (149,579,700 dollars net), for the period from 1 February to 31 July 1995, among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991 and 47/218 A of 23 December 1992 and its decision 48/472 A of 23 December 1993, and taking into account the scale of assessments for the years 1995, 1996 and 1997 as set out in Assembly resolution 49/19 B of 23 December 1994;

12. Decides also that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 11 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 1,965,400 dollars approved for the Mission for the period from 1 February to 31 July 1995;

13. Decides further that there shall be set off against the apportionment among Member States, as provided for in paragraph 11 above, their respective share in the unencumbered balance of 37,000 dollars gross (26,700 dollars net) in respect of the period from 23 September 1993 to 31 July 1994;

14. Decides, with regard to the period beyond 31 July 1995, to authorize the Secretary-General, on a provisional basis, to enter into commitments at a monthly rate not to exceed 21,202,240 dollars gross (20,840,040 dollars net) for the three-month period from 1 August to 31 October 1995 in connection with the maintenance of the Mission, the amount of 21,202,240 dollars gross (20,840,040 dollars net) to be apportioned, in accordance with the scheme set out in the present resolution, subject to the decision of the Security Council to extend the mandate of the Mission beyond 31 July 1995;

15. Requests the Secretary-General, to enable it to take a decision on the definite amount of expenditure for the period beyond 31 July 1995, to submit revised budget proposals by the end of August 1995;

16. Invites voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

17. Decides to include in the provisional agenda of its fiftieth session the item entitled "Financing of the United Nations Mission in Haiti".

99th plenary meeting
31 March 1995